

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: O. Almarsson et al.

Serial No.: 10/716,976 Art Unit: 1623

Filed : November 19, 2003 Examiner: T. McIntosh, III

For : TOPIRAMATE SALTS AND COMPOSITIONS COMPRISING AND METHODS OF MAKING AND USING SAME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Dear Sir:

Your Petitioner, Ortho-McNeil Pharmaceutical, Inc., a corporation of the State of Delaware, having a registered office at U.S. Route 202, Raritan, New Jersey 08869, represents that it is the owner of a 100 percent interest in U.S. Patent Application Serial No. 10/716,976 as evidenced by a chain of title from the inventor(s) to the current assignee as shown below:

1. From: Orn Almarsson; Jules Remenar and Matthew L. Peterson
To: Transform Pharmaceuticals, Inc
Recorded in PTO: Reel 014103, Frame 0241
2. From: Transform Pharmaceuticals, Inc.
To: Ortho-McNeil Pharmaceutical, Inc.
Recorded in PTO on February 6, 2004:
Reel 014313, Frame 0365

Your Petitioner, Ortho-McNeil Pharmaceutical, Inc., hereby disclaims, under the provisions of 35 USC 253 and 37 CFR 1.321 and 3.73, the terminal part of any patent granted on application Serial No. 10/716,976 which would extend beyond the expiration date of U.S. Patent No. 6,699,840 and hereby agrees that any patent so granted on application Serial No. 10/716,976 shall be enforceable only for and during such period that the legal title of said patent shall be the same as the legal title to U.S. Patent No. 6,699,840, this agreement

to run with any patent granted on application Serial No. 10/716,976, and to be binding upon the grantee, its successors or assigns.

The Terminal Disclaimer fee of \$130.00 and any additional fees which may be owed in connection with the filing of this Terminal Disclaimer can be charged to Johnson & Johnson Deposit Account No. 10-0750/MCN5003-USCNT2/MAA.

Signed at New Brunswick, New Jersey this 3rd day of January, 2007

Respectfully submitted,

Ortho-McNeil Pharmaceutical, Inc.

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